



3731

Appl. No.: 09/922,996  
Applicant: DOUK, et al.  
Atty. Docket: P563 CIP 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DOUK, Nareak et al.  
Appl. No.: 09/922,996  
Filed: August 1, 2001  
For: Temporary Device for  
Capturing Embolic Material

Art Unit: 3731  
Examiner: NGUYEN, V.X.  
Atty. Docket: P563 CIP 2  
Confirm. No. 9126

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Election/Restriction requirements in the Office Action dated **September 30, 2003**, please withdraw claims 37 and 38.

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STATUS OF THE CLAIMS

Using Revised Format, the following list shows the current status of all the claims in the application. Each claim identified as having "original" status has been provisionally elected in response to the outstanding Restriction/Election Requirement, as discussed in the following Remarks section.

Claim 1 (original): A temporary device for capturing embolic material from a bodily fluid within a vessel of a patient, the device comprising:

an elongate guidewire having a distal region;

a capture element disposed about the guidewire distal region, the capture element having distal and proximal ends and a central region, wherein relative longitudinal movement between the distal and proximal ends accompanies a transformation of the capture element between a generally tubular closed configuration and a deployed configuration wherein the central region is expanded into apposition with the vessel; and